

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:16-cv-00245-MR-DLH**

RONALD HUGH HUTTON,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
U.S. DEPARTMENT OF VETERANS)	
AFFAIRS,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Defendant's Motion to Dismiss [Doc. 6]; the Defendant's Motion for Permanent Injunction [Doc. 7]; the Plaintiff's Motion to Change Venue [Doc. 8]; and the Magistrate Judge's Memorandum and Recommendation [Doc. 15] regarding the disposition of the parties' motions.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider the parties' motions and to submit a recommendation for their disposition.

On April 24, 2017, the Magistrate Judge filed a Memorandum and Recommendation in this case containing findings of fact and conclusions of law in support of a recommendation regarding the parties' motions. [Doc. 15]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

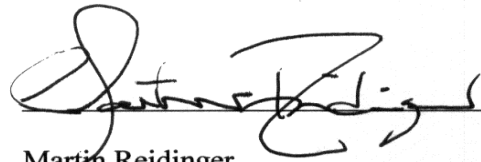
After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed findings of fact are correct and the conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the Defendant's Motion to Dismiss be granted, the Defendant's Motion for Permanent Injunction be denied without prejudice, and the Plaintiff's Motion to Change Venue be denied.

IT IS, THEREFORE, ORDERED that the Memorandum and Recommendation [Doc. 15] is **ACCEPTED**; the Defendant's Motion to Dismiss [Doc. 6] is **GRANTED**; the Defendant's Motion for Permanent Injunction [Doc. 7] is **DENIED WITHOUT PREJUDICE**; and the Plaintiff's Motion to Change Venue [Doc. 8] is **DENIED**.

IT IS FURTHER ORDERED that this matter is hereby **DISMISSED**
WITH PREJUDICE.

IT IS SO ORDERED.

Signed: May 12, 2017


Martin Reidinger
United States District Judge

